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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,039	10/31/2003	Kazuki Emori	SHO-0033	8366

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EXAMINER
HARPER, TRAMAR YONG

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
08/14/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,039	EMORI ET AL.	
	Examiner	Art Unit	
	TRAMAR HARPER	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 4-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 4-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Pre-Appeal Request

This action is in response to the pre-appeal request filed on March 22, 2008, in which the Applicant argues the rejections of claims 1 and 4-28. Claims 1 and 4-28 are currently pending.

Applicant's arguments filed February 28, 2008, with respect to the rejections of Claims 1 and 4-28 have been fully considered and are partially persuasive. Therefore, the rejections have been withdrawn.

Applicant's request for reconsideration of the finality of the last office action is persuasive, thus, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 & 4-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matayoshi (JP 2002-035209 A) in view of Susumu (JP 11-156001 A) in further view of Rocheleau et al (US 5,414,229) in further view of Dowling et al (2002/0047569).

Claims 1, 4, 11-12, 13, 19-21, & 28: Matayoshi discloses an internal lottery gaming machine or pachinko/slot machine (¶ 45, Fig. 1) that comprises of a cabinet having a front surface (5) with a recess formed therein (30 speaker area). The recess defined by

a recess bottom wall (Fig. 4 (32)) and a stepped down wall (side walls Fig. 4) extending generally perpendicularly to the front surface and the recess bottom wall (¶ 10, Figs. 1, 2, 4). There are various LED's disposed away from the speaker that are configured to emit light (Fig. 4 (40)). Furthermore there is an attachable/detachable wrap-covering object provided for covering the speaker and lighting devices (¶ 11, Fig. 4). Matayoshi discloses the LED's (40) in various locations as illustrated in Figures 5-11.

Matayoshi discloses the above, but fails to disclose the covering object having an inner surface with various asperities for diffusing and reflecting light. However, Susumu discloses a light display system with lens cover that comprises of various shapes such the diamond cut and spherical surface cut. Susumu discloses that such a configuration provides an improved ornament effectiveness and cubic effect (Fig. 1, ¶ 2-4). It would have been obvious to one of ordinary skill in the art to modify the lens cover of Matayoshi with the inner face asperities of Susumu to provide a means for reflecting and diffusing light more effectively (Susumu ¶ 2-4). Such a modification, gives the player an impression that the full face of the lens cover emits light uniformly.

Matayoshi in view of Susumu discloses a speaker disposed within front of the recess (Susumu Fig. 4), but fails to disclose a speaker disposed in the recess through the bottom wall such that sound is outputted to the front direction of the cabinet. As evidence of such known arrangement of speakers within recesses or enclosures, Rocheau et al teaches a speaker disposed in a recess through the bottom wall such that sound is outputted to the front of the enclosure (Figures 3-4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to

rearrange the speaker such that the speaker is disposed in a recess through the bottom wall, as taught by Rocheau, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse, 86 USPQ 70*.

Matayoshi in view of Susumu in further view of Rocheau teaches the above, but fails to disclose the LED's arranged on the stepped down wall on the speaker recess. However, Dowling et al teaches a collection of LEDs which are configured or arranged to illuminate a device such as speakers. Dowling teaches a known method known as edge lighting, wherein LEDS are arranged to edge light an enclosure such that a portion of the light couples to the enclosure edge and is transmitted across the surface of the enclosure to provided lighting effects such as a glowing surface (¶ 13-14). It would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the LED's such that they were located on a side wall or the stepped down wall of the speaker recess and/or furthermore obvious to arrange the speaker the bottom wall of the recess for the LED arrangement and to provide a more uniform full face glowing impression of the speaker/cover, as taught by Susumu and Dowling.

Claims 7, 15, & 24: Matayoshi discloses that the cover comprises of several slits (53a, 54a, 58b (holes)) for freeing emitted sound from the speaker device (¶ 40-2, Fig. 7).

Claim 9: The speaker itself is of a cone type shape and is part of the recess bottom wall.

Claims 8-9, 16-17, & 25-26: Susumu discloses using various stepped shapes in the surroundings of the light source for reflecting and diffusing light (Fig. 1). Furthermore, Susumu discloses that the stepped shapes comprise of star-like reflectors (¶ 6), which

inherently indicates some sort of mirror finish, for helping to diffuse and reflect the light within the system. Therefore, in combination the above implies that the surroundings of Matayoshi including the recess bottom wall includes such asperities or shapes made up of mirror like finishes, as taught by Susumu when considered in combination.

Claims 10, 18, & 27: Matayoshi discloses that the lights are substantially in parallel with the front surface of the cabinet (Figs. 4-5, 11 LEDS (40)).

Claims 5-6, 13-14, & 22-23: The combination of Matayoshi in view of Susumu discloses a cover with asperities on the inner wall and a plurality of wholes for freeing emitted sound from the speaker device (see above). The combination fails to disclose the cover that includes a cover top wall facially opposing the recess bottom wall and a ring portion, the cover top wall having a hole formed through it, the ring portion defining an opening and connected to the cover top wall such that, when the detachable cover connected to the front surface of the cabinet, the ring portion projects into the recess and surrounds the sound output device to expose the sound output device through the hole and the opening. Furthermore, the ring portion having an inner circumferential wall and an outer circumferential wall having continuous asperities formed thereon. However, Applicant has failed to disclose that the above structure solves a particular problem or provides a particular advantage. One of ordinary skill in the art furthermore, would of have expected the cover of Matayoshi in view of Susumu, and applicant's invention, to perform equally well with the structure as taught by Matayoshi in view of Susumu or the claimed cover structure because both perform the same function of providing a means for sound to transmit through the cover and a means for light to

transmit indirectly through the cover. Therefore, it would have been prima facie obvious to modify Matayoshi in view of Susumu to obtain the invention as specified in Claims 5-6, 13-14, and 22-23 because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Matayoshi in view of Susumu.

Response to Arguments

Applicant's arguments with respect to claims 1 and 4-28 have been considered but are moot in view of the new ground(s) of rejection. In regards to more evidence of edge lighting applicants admitted prior of CN-2257980-Y discloses edge lighting with respect to a display with an edge light to transmit light across the surface of the display.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mizobe (US 5,641,219) teaches edge lighting of a display device.

Shima (US 2002/0018576) teaches a speaker located through a recess bottom wall.

Murphy (US 2004/0095746) teaches a similarly structured speaker lighting arrangement.

Dowling (US 6,965,205) teaches edge lighting of a surface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ronald Laneau/
Primary Patent Examiner
Art Unit 3714

TH 08/06/08